



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE for PERMIT APPLICATION

Issue Date: March 31, 2004

Expiration Date: April 30, 2004

Corps of Engineers Action ID: 200300655

Oregon Division of State Lands Number: 31233

30 Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Ms. Kathryn L. Harris)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: West Hills Development
15500 SW Jay Street
Beaverton, Oregon 97006

Location: Wetlands adjacent to and channel of a tributary to Rock Creek, in Sections 17 and 18 of Township 1 North, Range 1 West, near Hillsboro, Washington County, Oregon

Project Description: Fill would be placed in 0.67 acre of wetland and stream channel to accommodate construction of 5 road crossings and development of 9 residential lots.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project. If required, the applicant has proposed enhancement of 2.0 acres of onsite wetlands.

Purpose: To develop residential lots and attendant features.

Drawings: Figure 1, Regional Map
Figure 2, Vicinity Map
Figure 3, Site Plan
Figure 4, Impacts
Figure 4a, Cross Sections 1A and 1B
Figure 4b, Cross Sections 2A and 2B

Figure 4c, Cross Sections 3A and 3B
Figure 4d, Cross Sections 4A and 4B
Figure 4e, Cross Sections 5A and 5B
Figure 4f, Cross Sections 6A and 6B

Additional Information: Additional information may be obtained from Ms. Kathryn L. Harris, Project Manager, U.S. Army Corps of Engineers at (503) 808-4387.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

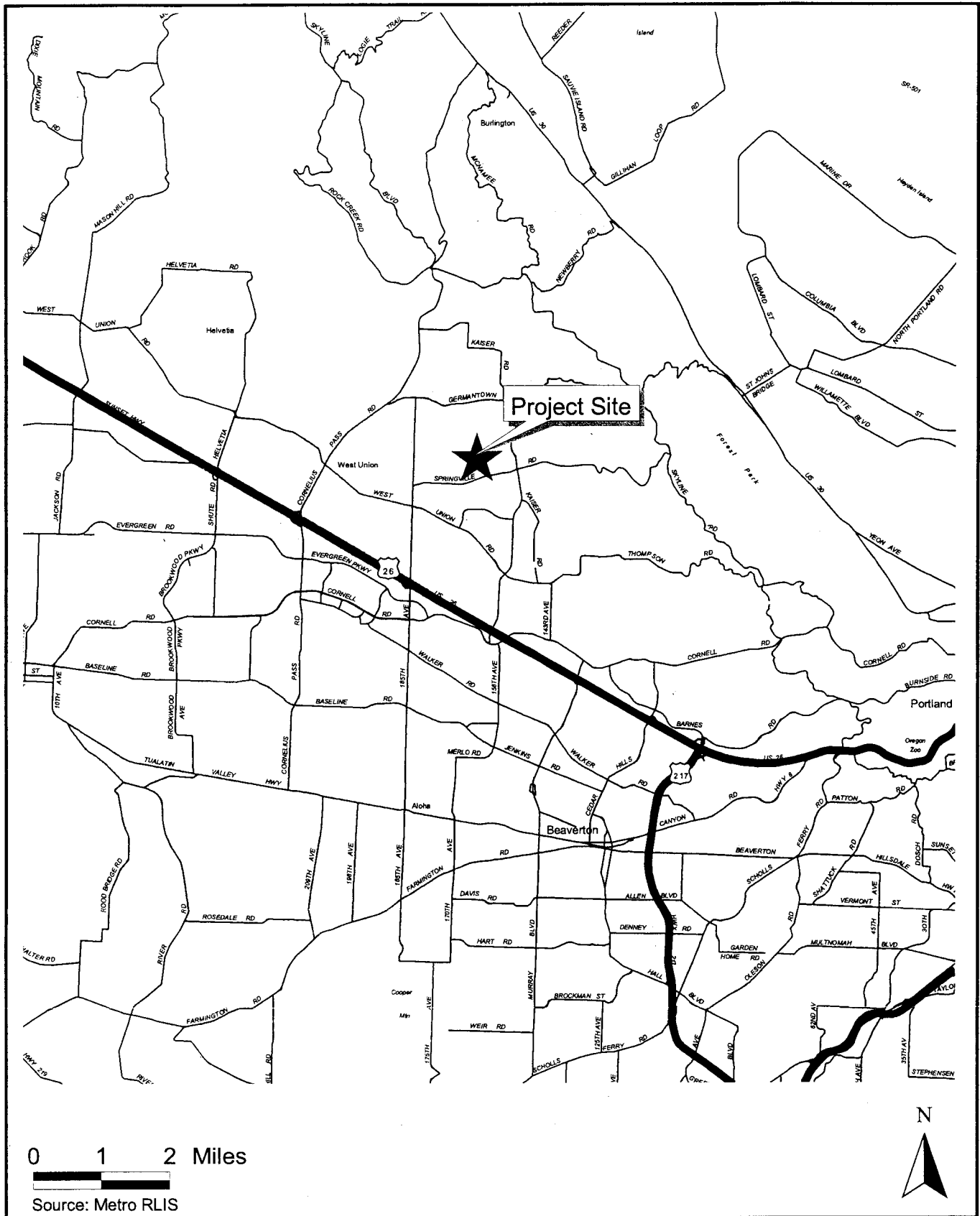
Endangered Species: Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

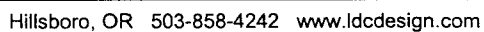


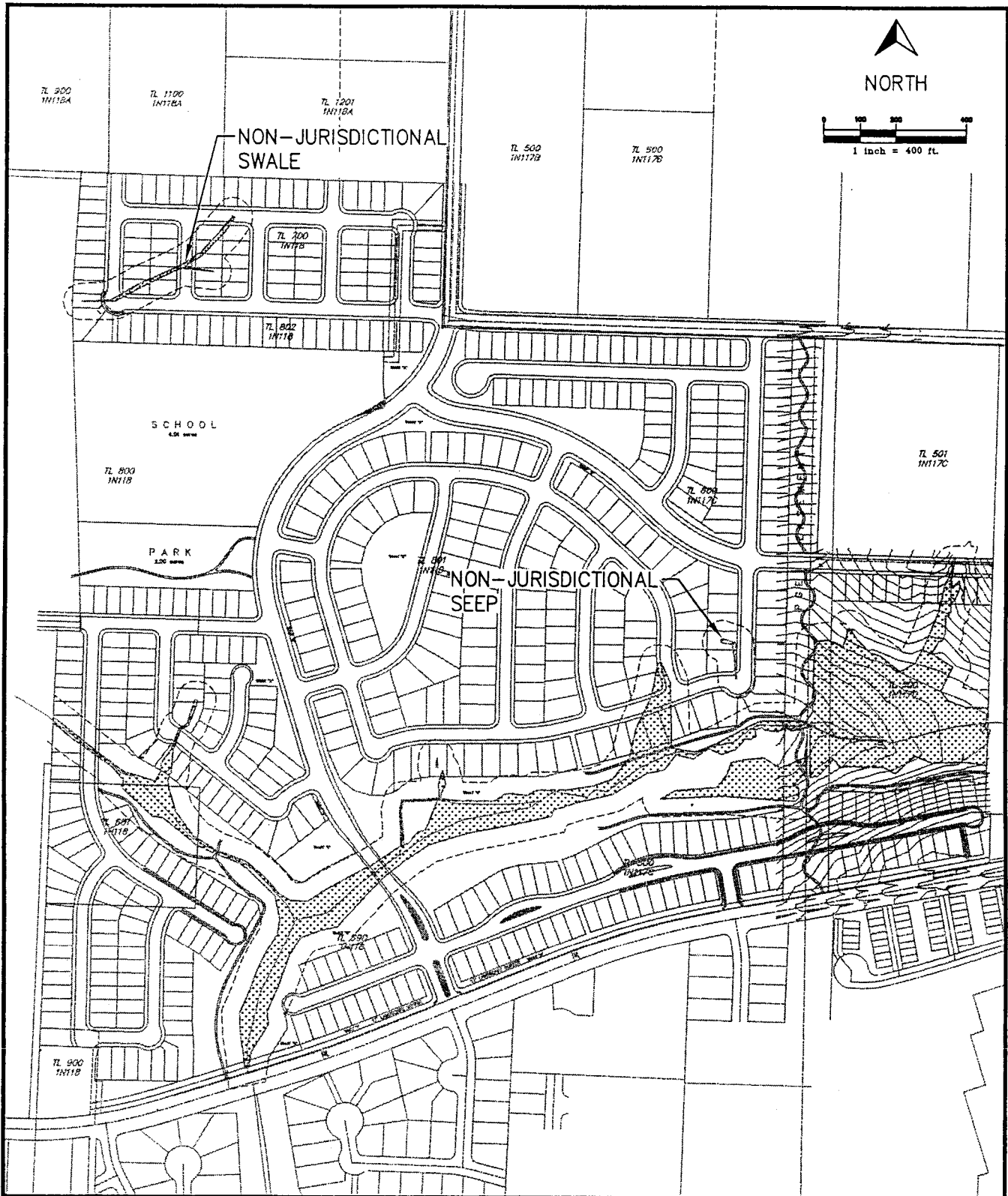
REGIONAL MAP ARBOR LAKES Exhibit 1

200300655



Project No: 2698





Source: Proposed Site Plan
Wetland Impacts

Site Plan Arbor Lakes

Exhibit 3

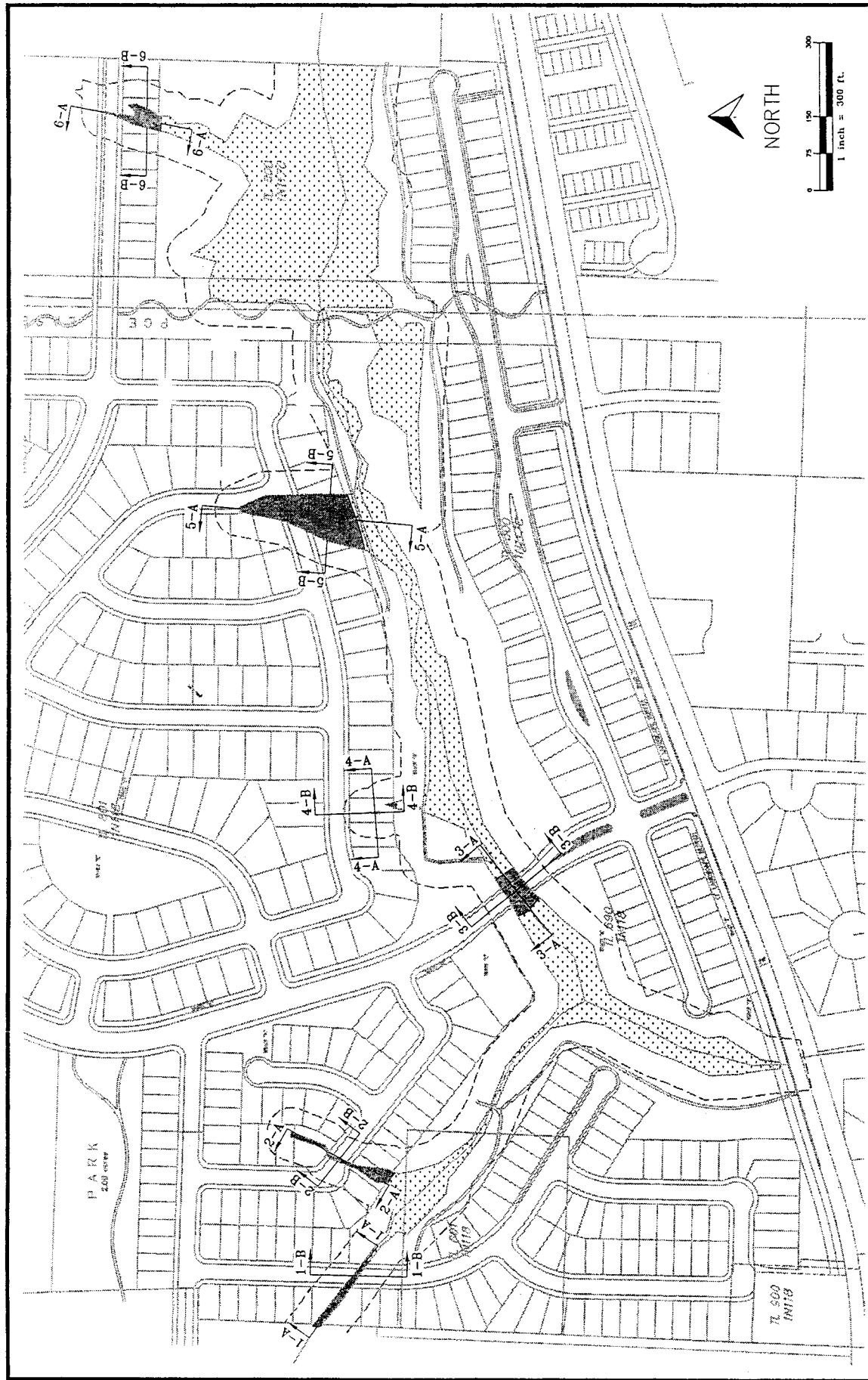


DELINEATED WETLANDS

200300655

Hillsboro, OR 503-858-4242 www.ldcdesign.com

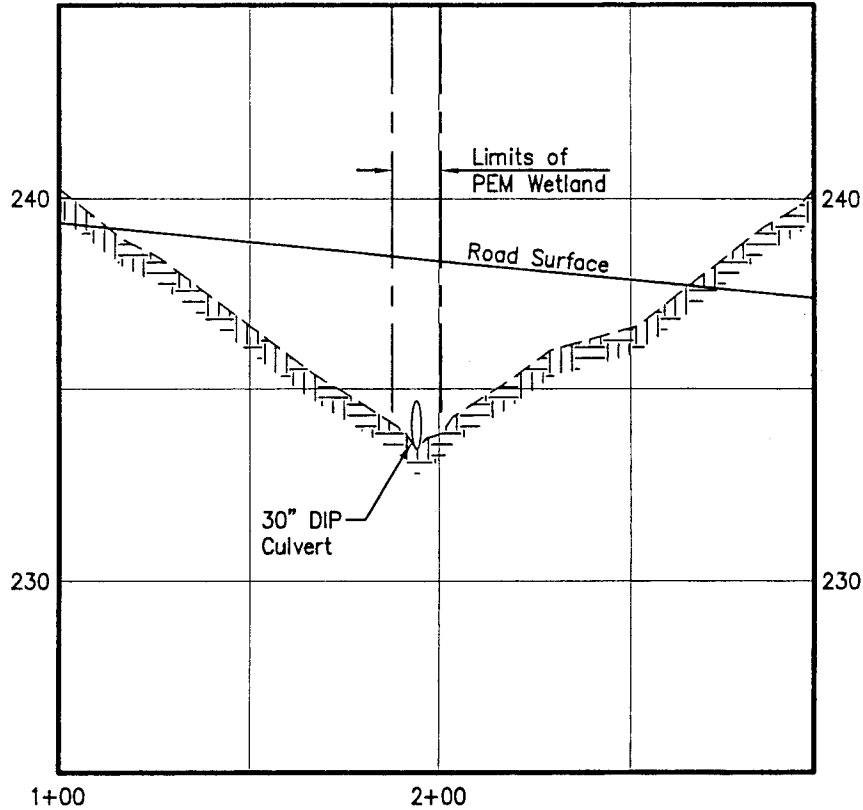
Project No.: 2698



Impacts Cross Section Index Arbor Lakes Exhibit 4

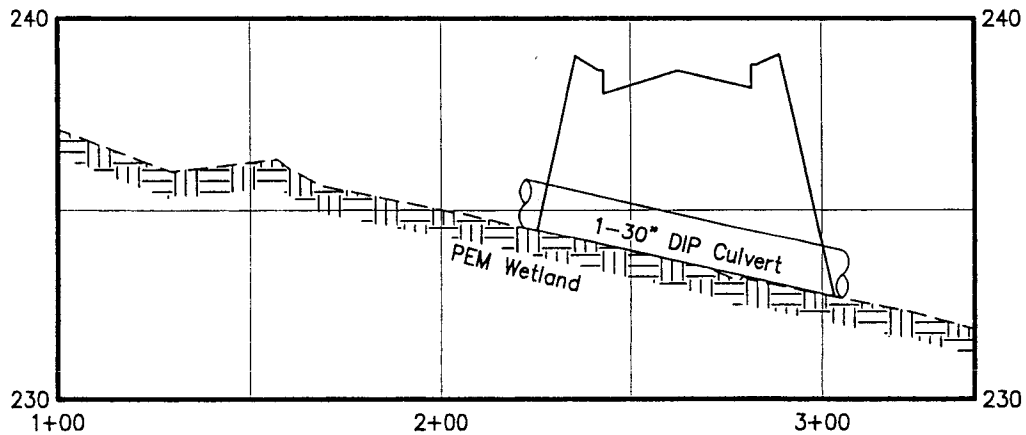
200300655

Note:
131 CY of Clean
Fill Material



Section 1-B

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'



Section 1-A

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'

Source: Proposed Site Plan
Wetland Impacts

Cross Sections 1-A & 1-B

Arbor Lakes

Exhibit 4a



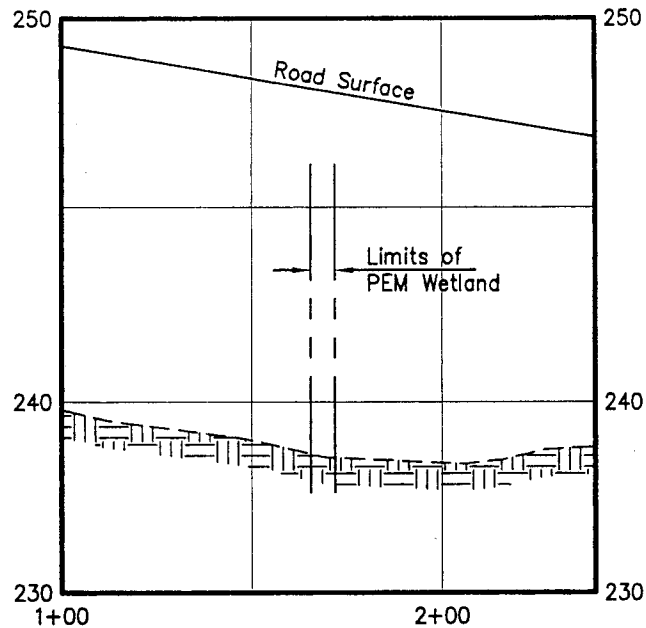
DESIGN GROUP, INC.

200300655

Hillsboro, OR 503-858-4242 www.ldcdesign.com

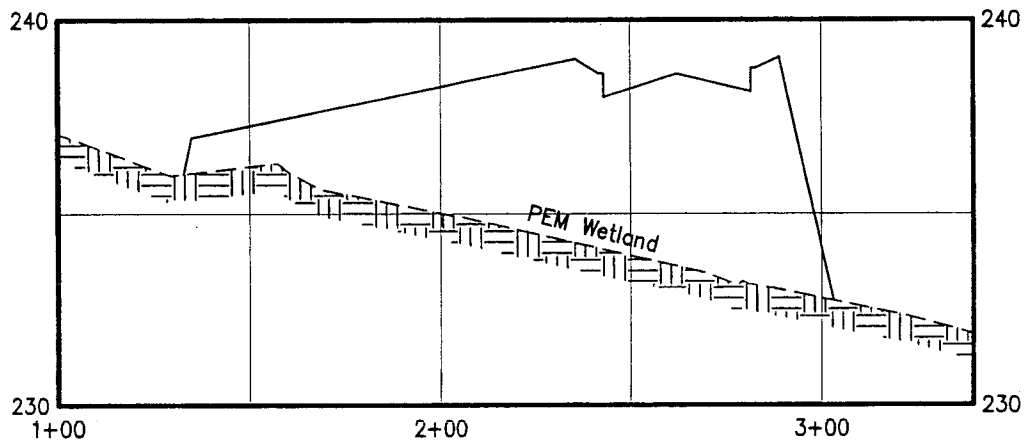
Project No.: 2698

Note:
703 CY of Clean
Fill Material



Section 2-B

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'



Section 2-A

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'

Source: Proposed Site Plan
Wetland Impacts

Cross Sections 2-A & 2B

Arbor Lakes

Exhibit 4b

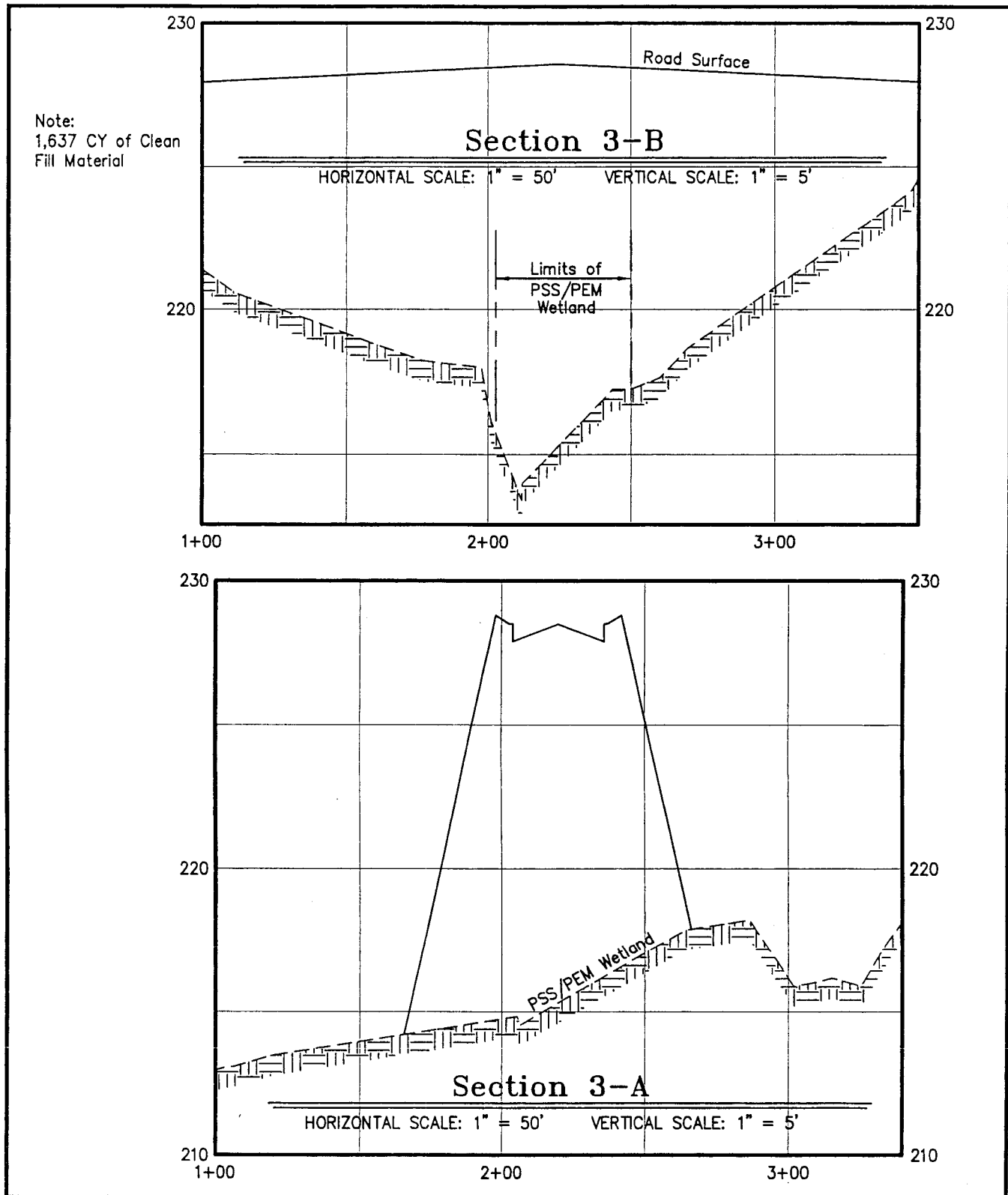


DESIGN GROUP, INC.

200300655

Hillsboro, OR 503-858-4242 www.lcdesign.com

Project No.: 2698



Source: Proposed Site Plan
Wetland Impacts

Cross Sections 3-A & 3B

Arbor Lakes

Exhibit 4c



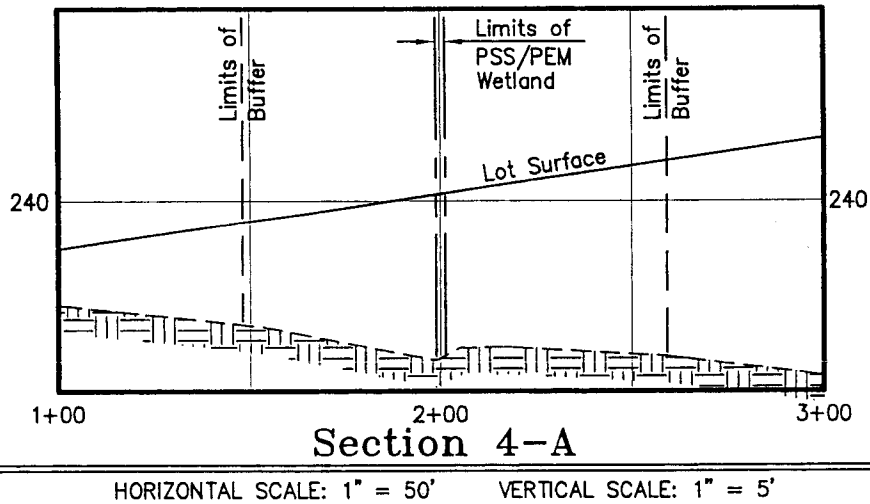
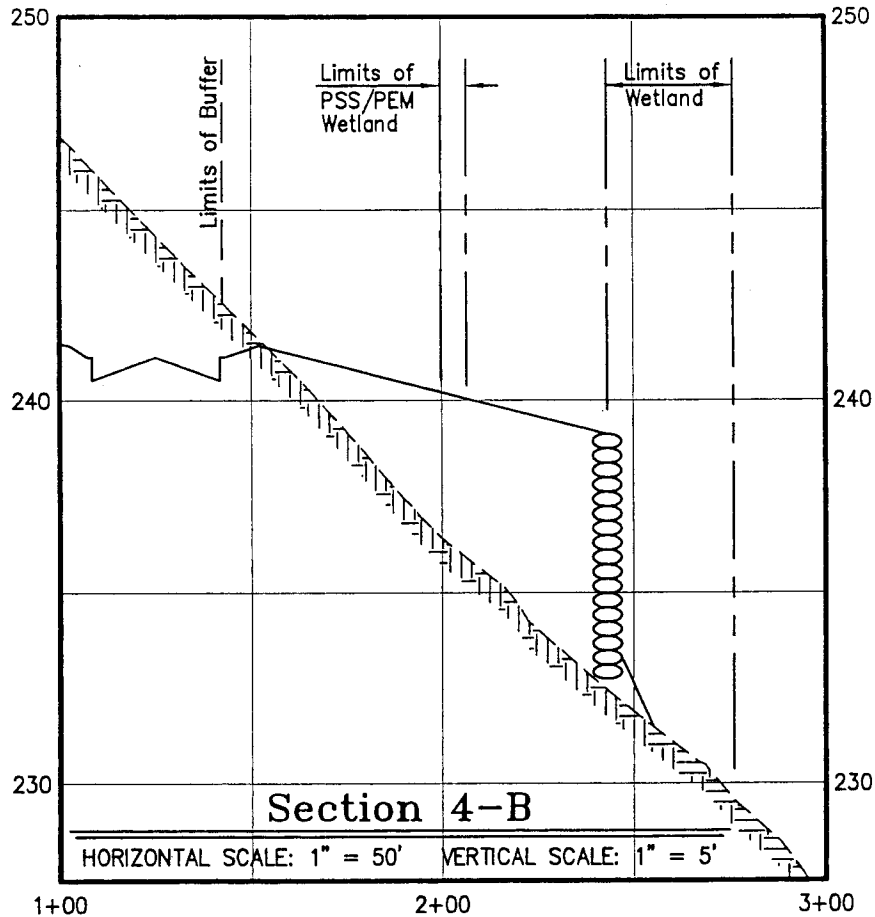
DESIGN GROUP, INC.

200300655

Hillsboro, OR 503-858-4242 www.ldcdesign.com

Project No.: 2698

Note:
30 CY of Clean
Fill Material



Source: Proposed Site Plan
Wetland Impacts

Cross Sections 4-A & 4B

Arbor Lakes

Exhibit 4d

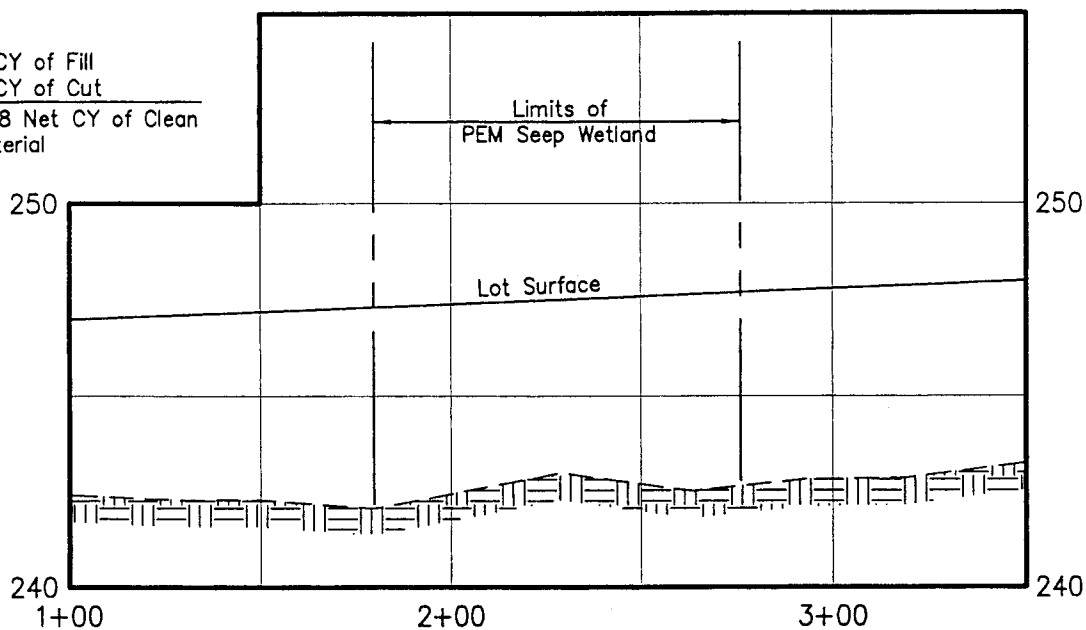
200300655



Hillsboro, OR 503-858-4242 www.ldcdesign.com

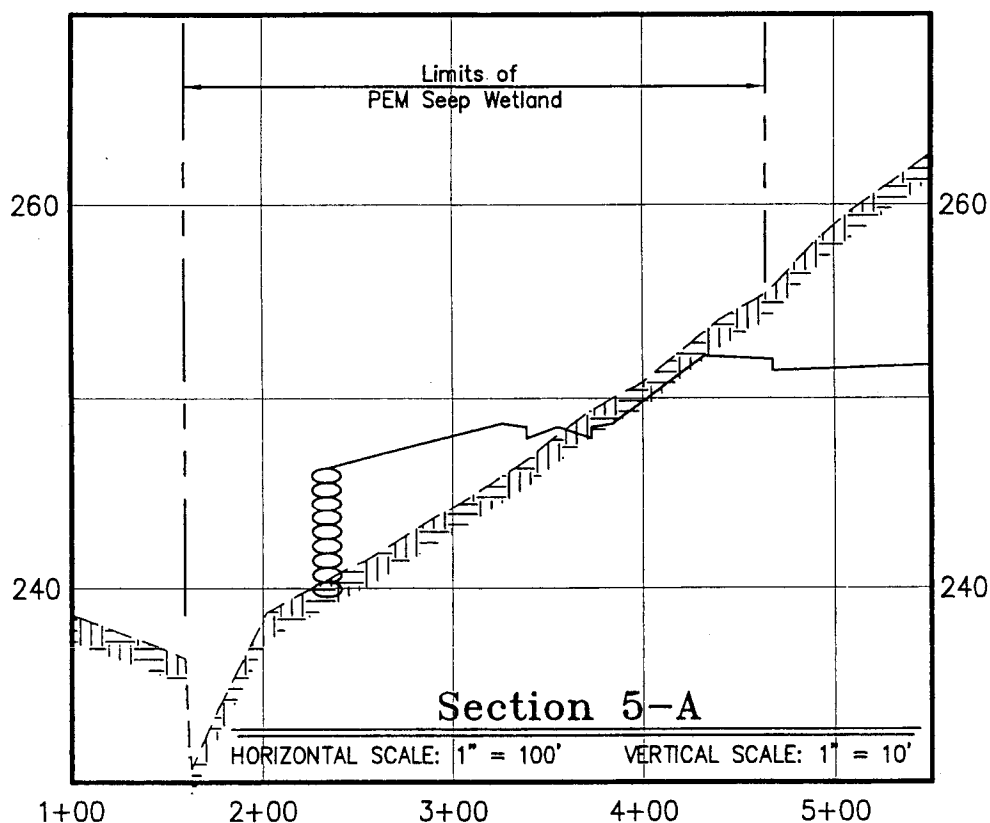
Project No.: 2698

Note:
 1,487 CY of Fill
 219 CY of Cut
 = 1,268 Net CY of Clean
 Fill Material



Section 5-B

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'



Section 5-A

HORIZONTAL SCALE: 1" = 100' VERTICAL SCALE: 1" = 10'

Source: Proposed Site Plan
 Wetland Impacts

Cross Sections 5-A & 5B

Arbor Lakes

Exhibit 4e

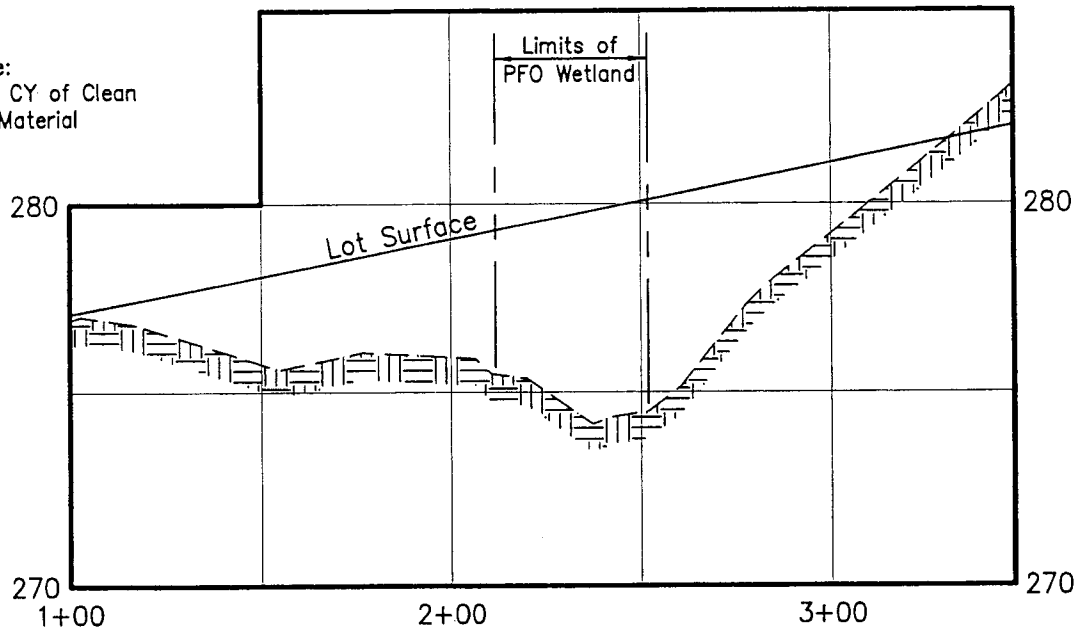


200300655

Hillsboro, OR 503-858-4242 www.lcdesign.com

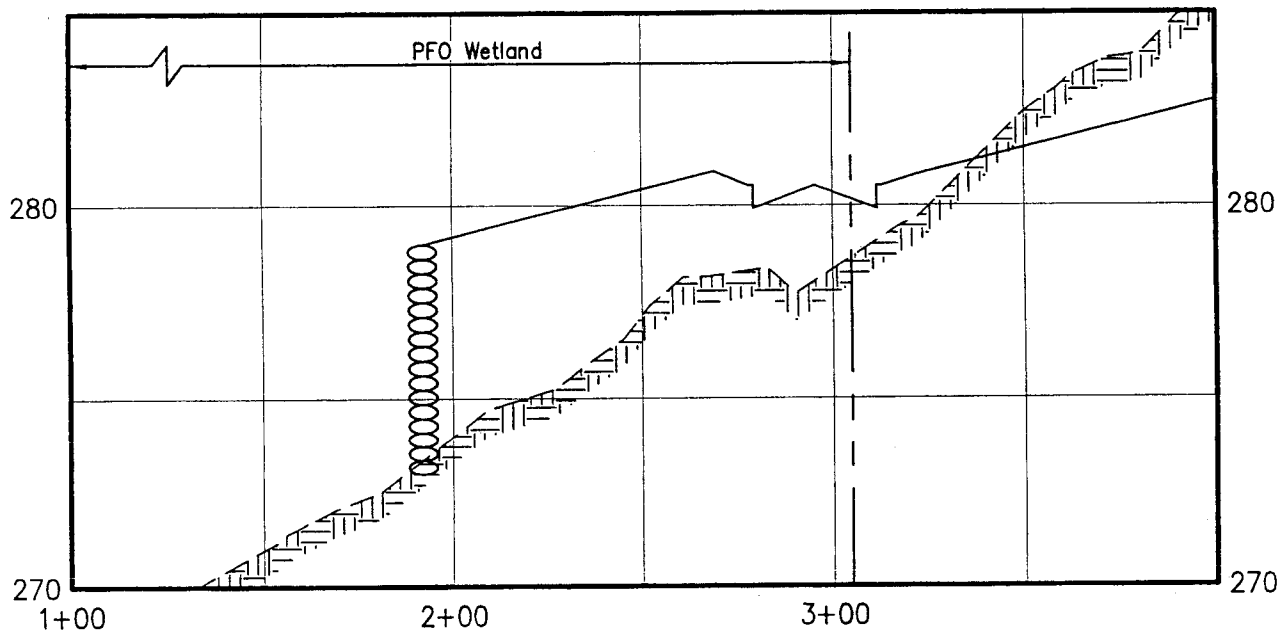
Project No.: 2698

Note:
369 CY of Clean
Fill Material



Section 7-B

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'



Section 6-A

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'

Source: Proposed Site Plan
Wetland Impacts

Cross Sections 6-A & 6B

Arbor Lakes

Exhibit 4f

200300655



Hillsboro, OR 503-858-4242 www.ldcdesign.com

Project No.: 2698

Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 200300655
Oregon Division of State Lands Number: 31233

Notice Issued: March 31, 2004
Written Comments Due: April 30, 2004

WHO IS THE APPLICANT: West Hills Development

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator at (503) 229-5845.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to melville.tom@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.